UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

THE MASSACHUSETTS INSTITUTE FOR A NEW COMMONWEALTH,

Plaintiff,

v.

Civil Action No. 05-10422 PBS

NICHE MEDIA HOLDINGS, LLC and NICHE MEDIA LLC,

Defendants.

ASSENTED-TO MOTION TO FURTHER ENLARGE TIME TO RESPOND TO COMPLAINT

Pursuant to Fed.R.Civ.P. Rule 6(b)(1), defendants hereby move, with assent, that the time for defendants to move, answer or otherwise respond to the complaint be further extended to and including May 12, 2005.

WHEREFORE, the parties having agreed to the foregoing schedule, defendants respectfully request that this assented-to motion be granted.

Respectfully submitted,

NICHE MEDIA HOLDINGS, LLC and NICHE MEDIA LLC By their attorneys,

/s/ Mark P. Szpak Mark P. Szpak (BBO #546261) **ROPES & GRAY LLP** One International Place Boston, MA 02110 (617) 951-7000

Date: May 2, 2005

ASSENTED TO:

/s/ John L. Welch (by MPS) Michael Boudett, (BBO 558757) John L. Welch, (BBO 522040) Foley Hoag LLP World Trade Center West, 155 Seaport Boulevard Boston, MA 02210-2600 617-832-1000